

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

e Application of

P-0652

Confirmation No.: 3913

Jik-Dong KIM

Group Art Unit: 2611

Serial No.: 10/792,131

Examiner: Kevin M. Burd

Filed: 3/4/2004

Customer No.: 34610

For: DATA TRANSMITTING/RECEIVING APPARATUS AND METHOD IN WIRELESS

SYSTEM

INFORMATION DISCLOSURE STATEMENT

U.S. Patent and Trademark Office Customer Service Window Randolph Building 401 Dulany Street Alexandria, Virginia 22314

Sir:

Pursuant to 37 C.F.R. §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO-1449. One copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the indicated date. Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, that information cited in the statement is considered to be and/or is material to patentability, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. §120. 1138 OG 37, 38 (May 19, 1992).

- This Information Disclosure Statement is being filed (i) within three months of the U.S. filing date of a U.S. application other than a CPA continued prosecution application under §1.53(d) OR (ii) within three months of the date of entry of the national stage as set forth in §1.491 in an international application OR (iii) before the mailing date of a first Office Action on the merits OR (iv) before the mailing of a first Office Action after the filing of a Request for continued examination under §1.114. No certification or fee is required. 37 C.F.R. §1.97(b).
- X This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection OR Notice of Allowance OR an action that otherwise closes prosecution in the application. 37 C.F.R. §1.97(c).
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		c. Attached is our check noin the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 16-0607 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.
	applica amoun Deposi	This Information Disclosure Statement is being filed after the mailing date of a Final on OR Notice of Allowance OR an action that otherwise closes prosecution in the tion, but on or before payment of the Issue Fee. Attached is our check no in the t of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit it Account No. 16-0607 as needed to ensure consideration of the disclosed information. uplicate copies of this paper are attached. 37 C.F.R. §1.97(d).
		a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).
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\boxtimes	4. dated J	The references were cited in a corresponding foreign application in a Search Report une 1, 2007. U.S. Patent Publication No. 2004/009783 corresponds to WO 03009504.
\boxtimes	includi	To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is made. Please charge any shortage in fees due in connection with the filing of this paper, ng extension of time fees, to Deposit Account 16-0607 and please credit any excess fees a deposit account.
		Respectfully submitted,

David C. Oren

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SHEET 1 OF 1 ATTY. DOCKET NO. APPLN. SERIAL NO. LIST OF ART CITED BY APPLICANT P-0652 10/792,131 APPLICANT(S) Jik-Dong KIM (PTO-1449) **GROUP** FILING DATE 2611 March 4, 2004 **U.S. PATENT DOCUMENTS EXAMINER'S** *PATENT NO. *ISSUE DATE *INVENTOR NAME CLASS **SUBCLASS** FILING DATE **INITIALS U.S. PATENT APPLICATION PUBLICATIONS** *PATENT APPLN. PUB. NO. *PUB. DATE *APPLICANT CLASS **SUBCLASS** 2004/009783 01/15/2004 Miyoshi **U.S. PATENT APPLICATIONS** *APPLN. NO. *FILING DATE *INVENTOR CLASS **SUBCLASS FOREIGN PATENT DOCUMENTS EXAMINER'S** Translation **INITIALS** PATENT NO. DATE COUNTRY CLASS **SUBCLASS** Yes No WO 03/001702 01/03/2003 **PCT** X WO 03/009504 01/30/2003 **PCT** Abstract EP 1 411 664 04/21/2004 **EUROPE** X WO 98/05144 02/05/1998 **PCT** X OTHER ART (Including Author, Title, Date, Pertinent Pages, Publisher, Place of Publication, Etc.) Sevedi et al. "A sub-channel selective orthogonal frequency division multiplexing spread spectrum system;" IEEE Military Communications Conference, NY, NY, IEEE, U.S. vol. 1 of 2, October 28, 2001, pp. 1370-1374 Ling Ding et al.; "An Uplink Power Control Based on Truncated Channel Inversion for Data Traffic in a Cellular CDMA System;" IEEE Transactions on Vehicular Technology, Vol. 50, No. 3, May 2001, pp. 854-866 European Search Report dated June 1, 2007 **EXAMINER** DATE CONSIDERED